

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

OHIO CASUALTY INSURANCE CO.,

Plaintiff,

v.

**CHRIS DIALS CONTRACTING, LLC
and CHRISTOPHER PAUL DIALS,**

Defendants.

Case No. 3:19-cv-00447-AR

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION**

Meredith E. Dishaw, Williams Kastner, 601 Union Street, Suite 4100, Seattle WA 98101.
Attorney for Plaintiff.

IMMERGUT, District Judge.

On December 7, 2022, Magistrate Judge Jeffrey Armistead issued his Findings & Recommendation (“F&R”), ECF 95, recommending that Plaintiff’s Motion for Relief from Stay and to Enter Judgment, ECF 80, and Bill of Costs, ECF 85, be granted. Defendants, proceeding pro se, filed objections, ECF 99, and Plaintiff filed a reply, ECF 100.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a

de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

This Court has reviewed the F&R, ECF 95, and Defendants’ objections de novo. Based on that review, this Court ADOPTS Judge Armistead’s F&R in full. Accordingly, this Court GRANTS Plaintiff’s Motion for Relief from Stay and to Enter Judgment, ECF 80, and Bill of Costs, ECF 85. This case is DISMISSED.

IT IS SO ORDERED.

DATED this 13th day of February, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge